

REMARKS/DISCUSSION OF ISSUES

Claims 1-3, 6-10 and 13 are rejected. Claims 7 and 8 are objected to.

The Examiner is respectfully requested to acknowledge acceptance of the drawings.

Claim 13 is rejected under 35 USC 112, first paragraph, in that the phrase 'an anodized layer which supports said outer layer' is not supported by the specification.

The phrase is not new matter since it was present in claim 13 as originally filed. Support in the specification has been provided by amending the paragraph beginning at line 30 of page 2, by inserting the sentence:

'The metal or alloy may additionally support an anodized layer, in which case the anodized layer supports the outer layer 3.'

Accordingly, it is urged that the rejection under 35 USC 112, first paragraph, be withdrawn.

Claims 1-3, 6, 9 and 10 are rejected under 35 USC 102(b) (sic) over Robertson.

In response to Applicant's previous arguments, the Examiner states that Robertson's silicone polymer has TiO<sub>2</sub>, which is equivalent to a polymer material with an inorganic main chain, citing col. 6, lines 25-35. However, the phrase 'and which contains TiO<sub>2</sub> coated mica' refers back to the term 'coating' in line 27, not to the term 'silicone resin' in line 28.

TiO<sub>2</sub> is not part of the structure of the polymer material, but is merely added to the polymer coating as an opacifying pigment. See col. 5, line 52.

Even if the passage quoted by the Examiner meant that the TiO<sub>2</sub> were a part of the polymer structure, it would be present as a pendant group, not as a part of the main chain.

The Examiner urges that Robertson teaches that the coating has a dense translucent form, citing col. 5, lines 60, 61, having pigmented fillers, citing col. 5, lines 50-52. However, what Robertson actually states is that the siloxane matrix is translucent (col. 5, line 61), but that opacifying pigment fillers are added (col. 5, line 52).

Thus, Robertson does not teach or suggest a laser-markable material with a dull-translucent surface. Moreover, in specifically calling for the addition of an opacifying agent such as TiO<sub>2</sub>, Robertson actually teaches away from Applicant's claimed invention.

With regard to claim 13, Robertson does not teach or suggest an anodized layer supporting the outer layer.

Accordingly, it is urged that the rejection is in error, and should be withdrawn.

Claims 7 and 8 are objected to as being dependent on a rejected base claim. Accordingly, new claims 25 and 26 are presented, which combine the limitations of claims 1, 6 and 7, in the case of claim 25, and claims 1 and 8, in the case of claim 26.

Nevertheless, it is urged that claims 7 and 8 are allowable in their present form, by virtue of their dependency on claim 1, for the reasons advanced above.

In view of the foregoing, Applicant respectfully requests that the Examiner withdraw the rejections of record, allow all

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**Amendment/Response**

**Reply to non-Final Office action of 22 March 2004**

the pending claims, and find the application to be in condition for allowance.

Respectfully submitted,



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